



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

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TO: Director, Reference Information Center
Chief, Wireline Competition Bureau

FROM:  Daniel M. Armstrong
Associate General Counsel

SUBJECT: *AT&T Corp. v. FCC & USA*, No. 04-5847-AG. Filing of a Petition for Review in the United States Court of Appeals for the Second Circuit.

DATE: November 18, 2004

This is to advise you that, on November 5, 2004, AT&T Corp. ("AT&T") filed a Petition for Review in the U.S. Court of Appeals for the Second Circuit, pursuant to 47 U.S.C. 402(a), of the following order: *Petition for Forbearance of the Verizon Telephone Companies Pursuant to 47 U.S.C. § 160(c)*, WC Docket No. 01-338; *SBC Communications Inc.'s Petition for Forbearance Under 47 U.S.C. § 160(c)*, WC Docket No. 03-235; *Qwest Communications International Inc. Petition for Forbearance Under 47 U.S.C. § 160(c)*, WC Docket No. 03-260; and *BellSouth Telecommunications, Inc. Petition for Forbearance Under 47 U.S.C. § 160(c)*, WC Docket No. 04-48, Memorandum Opinion and Order, FCC 04-254 (rel. Oct. 27, 2004).

AT&T challenges the above-referenced FCC order forbearing from enforcing the requirements of section 271 with regard to the broadband elements that the Commission, on a national basis, relieved from unbundling in the *Triennial Review* proceeding.

The Court has docketed this case as No. 04-5847-AG. The attorney assigned to handle the litigation of this case is Laurence N. Bourne.